

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

In the Office action, the Examiner objected to the specification for failing to provide proper antecedent basis for the claim recitation of an "actual state amount". In response, applicant submits that proper antecedent basis for the subject claim recitation is provided in the specification, as exemplified by the disclosure on page 54, line 26 – page 55, line 5 of the specification of the present application. As such, the subject claim recitation has proper antecedent basis and the Examiner's ground for objection is removed.

Claims 1 – 19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particular point out and distinctly claim the subject matter which applicant regards as the invention. In response, claims 1, 2, 6, 8, 10, 11, 13, and 16 – 19 have been amended so as to remove the Examiner's grounds for rejection. Accordingly, withdrawal of the claim rejections under this section is requested.

Claims 1 – 19 were also rejected under 35 U.S.C. 102(b) as being anticipated by Takenaka et al. (WO 2003/090981). The rejections are traversed for the following reasons.

The cited Takenaka publication has a publication date of November 6, 2003, and therefore may be available as prior art as of that date. The present application

claims priority from JP 2003-185930, filed on June 27, 2003. A verified translation of the priority document is filed herewith so as to perfect applicant's priority claim. As such, the cited Takenaka publication does not have a prior art date which predates the earliest priority date of the present application, and is therefore not available as prior art against the present application.

Thus, the Takenaka publication is not available as prior art, and the anticipation rejection of claims 1 – 19 based thereon lacks merit. Accordingly, withdrawal of the anticipation rejection of claims 1 – 19 is requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. SAT-16280.

Respectfully submitted,

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